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**Via CM/ECF**

Hon. Loretta A. Preska  
United States District Judge  
Daniel Patrick Moynihan  
United States Court House  
500 Pearl Street  
New York, New York 10007

The request is denied. The Court granted Dr. Moores' request to take depositions on June 13. It was only on July 20 that Dr. Moores then requested permission to serve untimely contention interrogatories. Given the logistical challenges Plaintiffs' counsel would face, as set forth in Ms. Agnew's July 20, 2023 July 21 letter of responding to twenty-four sets of interrogatories in nine days, the request is unreasonable and thus denied.

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Re: Allen et al. v. Koenigsmann, et al., Docket No.: 19-CV-8173 (SD N.Y.)

Dear Judge Preska:

SO ORDERED

LORETTA A. PRESKA  
UNITED STATES DISTRICT JUDGE

My office represents defendant Dr. Carol A. Moores ("Dr. Moores"), in her official capacity. I am writing to request permission to serve contention interrogatories pursuant to F.R.C.P. 33(a)(2) and Local Civil Rule 33.3(c) on each of the incarcerated individual witnesses listed in Plaintiffs proposed pretrial statement, in lieu of taking over 20 depositions. (See Dkt. No. 647).

During a conference with the Court held on June 13, 2023, the court gave Dr. Moores permission to conduct depositions of between July 15 and August 5, 2023, prior to commencement of the August 7, 2023 permanent injunction trial. (Dkt. 620, p. 10:3-21). However, after considering the anticipated challenges in scheduling numerous patient depositions at facilities in less than three weeks, while simultaneously preparing our case for trial and coupled with previously scheduled depositions in this case currently on the calendar before the August 1, 2023 discovery deadline, we determined that serving contention interrogatories in lieu of depositions would be the most efficient way to ask each patient witness the questions we have in anticipation of trial.

We further respectfully request an Order that the interrogatories be returned by Plaintiffs on or before August 2, 2023. See F.R.C.P. 33(b)(2) (the Court may Order the responding party to serve its answers in less than 30 days).

Respectfully submitted,

*Oriana Kiley*

Oriana L. Kiley, Esq.

cc: All counsel of record (via CM/ECF)